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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: **Amro et al.**

Serial No.: 09/383,738

Filed: August 26, 1999

For: Method and Apparatus for Maximizing Efficiency of Small Display in a Data Processing System

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Group Art Unit: 2676

Examiner: **Anthony Blackman**

Attorney Docket No.: AT9-99-469

**Assistant Commissioner for Patents
Washington, D.C. 20231**

Certificate of Mailing Under 37 C.F.R. § 1.8(a)

I hereby certify this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on November 13, 2002.

By:

By: Dee Whittle

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
OFFICE ACTION NOT RECEIVED**

I petition to withdraw the holding of abandonment in this case, on the basis that the Office Action forming the basis of the abandonment was not received. Specifically, the Office Action indicated, as mailed on December 18, 2001, was never received by me or by the assignee. A search of the file jackets and the docket records in my office, and the legal office of the client, indicates that this Office Action was never received.

Attached is a copy of the docket records where the non-received Office Action would have been entered had it been received and docketed. As additional evidence of non-receipt of the Office Action, statements from the persons who would have handled the Office Action had it been received are attached.

Additionally, the Notice of Abandonment was mailed to an incorrect address. The Declaration and Power of Attorney directs the Patent and Trademark Office to address correspondence to Duke W. Yee, Carstens, Yee & Cahoon, LLP, P.O. Box 802334, Dallas, Texas 75380. However, the Notice of Abandonment was mailed to Duke W. Yee, Carstens, Yee & Cahoon, LLP, at an address in Research Triangle Park, NC. The North Carolina address appears in the Associate Power of Attorney filed April 17, 2001. However, there was no intent or written instruction to change the correspondence address. In any event, as evidenced in the attached Affidavits and docket records, the Office Action was never received at either address.

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In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn. Examiner Anthony Blackman sent a copy of the non-received Office Action on October 21, 2002, via facsimile. A Response to Office Action is filed herewith to advance prosecution of the application.

Enclosed please find a check for \$130.00 for petition fees. Please charge Account No. 09-0447 for any fee deficiency or credit this account for any overpayment for this petition.

Respectfully submitted,



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